

Local Authority and Public Libraries: A Kansas Library Association White Paper

Purpose

The purpose of this document is to examine the issue of local authority of public libraries, including the legal, political, and practical aspects of library decision-making and policy implementation. Information is presented so that the reader can be informed about this issue and able to understand the implications of the decisions made at the national, state, and local levels regarding public libraries.

Audience

The intended audience of this document includes public library directors, library staff, library trustees, and anyone who supports and advocates for public library services in Kansas.

Definitions

Local authority refers to the ability of residents in a public library service area to determine for themselves what guidelines and policies should be in place to govern their library. These choices are usually made by a board of directors, also called trustees, who are appointed or elected by the local or regional governing body, such as a city or county commission or council.

Overview

Public libraries have a long history of local authority, both in Kansas and across the country. Like other institutions that are formed for the public good, such as cities, schools, museums, and recreation districts, the importance of having a representative form of governance is reflected in the creation of library boards or commissions with members from the communities that they serve. This reflects our federalist form of government, in that power is divided between larger interests, such as the state of Kansas and the U.S. government, and smaller local units, such as city councils and library boards.

Library boards use their authority to set service hours, decide how much should be spent on books or audios or videos, request bond issues for capital improvements, approve staffing levels, provide public access computing, and respond to challenges to library materials by library users. Any reduction in the scope of local authority would undermine the effectiveness of public libraries and their governing boards to do all of the things they need to do for the people they serve.

Kansas Library Laws

For nearly 100 years there has been a set of laws in place that govern the establishment and governance of public libraries in Kansas. These laws are laid out in the Kansas Statutes, Annotated (KSA) and are available both in print and online. Laws regarding libraries are found primarily in Chapter 12, Article 12 of the KSA. It is important for library boards and administrators to be aware of both the current laws and any proposed legislation, particularly whether the proposed law improves or detracts from the mission of public library services.

Exercise of Local Authority by Library Boards

Each library board is charged with overseeing the library program in a community and to make sure that community needs are met and community dollars (in the form of tax

revenues) are spent responsibly. Board members should take into account not only their own views but also the views of their fellow residents in making decisions for and about the library. Boards are governed by sets of bylaws, and boards enforce library policies that they review and approve. Rules for making or changing library policies are outlined so that a fair and open process is followed. Meetings of the library board are subject to the rules governing open public meetings, ensuring that residents are able to attend and make their views known as well. Library directors and administrators should keep their board members informed of the latest trends and developments in public libraries so that the exercise of local authority by library boards takes into account the wider world of public library services in addition to any local ideas or issues that may be raised. Local tax funds provide the majority of revenue for local libraries, which justifies a strong commitment to maintaining an appropriate level of local authority.

Benefits and Difficulties of Local Authority

There are positive and negative aspects of the idea and practice of local authority by library boards. The most obvious benefit is that the people being served are also the ones deciding what is best for their own community. The differences between urban and rural areas are often cited as reasons why boards need to be made up of people who live in the area they represent, so they can better understand the specific needs of their fellow residents. Negative aspects include a library board that is too political or too disinterested in the provision of library services. To make sure that a library board is reflective of the community as a whole, a diverse library board that is well informed about the characteristics of the community they serve is required to be truly effective.

Conclusion

In each Kansas community with a public library, local library boards oversee the development and delivery of library services. These boards, working with city councils and commissions and other constituency groups, know what guidelines and rules for service delivery will best meet the needs of their individual communities. Public libraries have historically supported free access to information of all kinds, and have been able to continue this tradition specifically because of the power of local authority by library boards to approve and maintain local policies. Library boards must remain empowered to establish the rules and guidelines for service that are appropriate for their local communities.

Additional Resources

- Kansas Library Association <http://skyways.lib.ks.us/KLA/index.html>
- Kansas Library Trustee Association <http://skyways.lib.ks.us/KLA/divisions/klta/>
- Kansas Legislature Online <http://www.kslegislature.org/>
- Kansas State Library <http://www.skyways.org/KSL/>
 - o Kansas Public Library Handbook & Trustee Topics
- American Library Association <http://www.ala.org>

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